

Tab 1	CS/SB 494 by HE, Avila (CO-INTRODUCERS) Perry, Collins; (Similar to H 00511) Graduate Program Admissions						
609192	A	S	RCS	MS, Avila	Delete L.25 - 27:	01/16	09:05 AM
Tab 2	SB 818 by Avila (CO-INTRODUCERS) Collins; (Similar to H 00765) Military Leave						
Tab 3	SB 968 by Calatayud (CO-INTRODUCERS) Trumbull; (Similar to H 00577) Spaceport Territory						
Tab 4	SM 1020 by Ingoglia; Designation of Drug Cartels as Foreign Terrorist Organizations						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**MILITARY AND VETERANS AFFAIRS, SPACE, AND
 DOMESTIC SECURITY**

Senator Wright, Chair
Senator Torres, Vice Chair

MEETING DATE: Tuesday, January 16, 2024
TIME: 8:30—10:30 a.m.
PLACE: 301 Senate Building

MEMBERS: Senator Wright, Chair; Senator Torres, Vice Chair; Senators Baxley, Collins, and Pizzo

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 494 Education Postsecondary / Avila (Similar H 511)	Graduate Program Admissions; Requiring an institution of higher education to waive certain examination requirements for a servicemember who applies for admission to a graduate program that requires such examination, etc. HE 01/09/2024 Fav/CS MS 01/16/2024 Fav/CS RC	Fav/CS Yeas 4 Nays 0
2	SB 818 Avila (Similar H 765)	Military Leave; Providing that public officials and employees of the state, a county, a municipality, or a political subdivision, respectively, are entitled to their full pay for the first 30 days of military service, if such service is equal to or greater than a specified timeframe, etc. MS 01/16/2024 Favorable CA FP	Favorable Yeas 4 Nays 0
3	SB 968 Calatayud (Similar H 577)	Spaceport Territory; Revising spaceport territory to include certain property, etc. MS 01/16/2024 Favorable TR RC	Favorable Yeas 4 Nays 0
4	SM 1020 Ingoglia	Designation of Drug Cartels as Foreign Terrorist Organizations; Urging the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations, etc. MS 01/16/2024 Favorable RC	Favorable Yeas 4 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/CS/SB 494

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee; Education Postsecondary Committee; and Senator Avila and others

SUBJECT: Graduate Program Admissions

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jahnke</u>	<u>Bouck</u>	<u>HE</u>	<u>Fav/CS</u>
2.	<u>Ingram</u>	<u>Proctor</u>	<u>MS</u>	<u>Fav/CS</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 494 requires an institution of higher education to waive the Graduate Record Examination (GRE) and Graduate Management Admission Test (GMAT) for servicemembers and for persons who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and were discharged or released under any condition other than dishonorable.

The bill takes effect July 1, 2024.

II. Present Situation:

Graduate Record Examination

The GRE is the world's most widely used admissions test for graduate and professional schools.¹ The GRE General Test and GRE Subject Tests are taken by individuals applying to graduate, business, and law programs. For more than 70 years, GRE scores have been used by admissions and fellowship panels at thousands of graduate programs around the world to supplement an applicant's undergraduate grades and other qualifications for graduate study.²

¹ ETS, *GRE*, <https://www.ets.org/gre.html> (last visited Jan. 11, 2024).

² ETS, *GRE Information Bulletin* (2023), available at <https://www.ets.org/pdfs/gre/gre-info-bulletin.pdf>, at 4.

The GRE General Test measures verbal reasoning, quantitative reasoning, critical thinking, and analytical writing skills. The test closely aligns with the types of skills that are required for success in today's demanding graduate programs, including business and law.³

The GRE Subject Tests measure achievement in specific subject areas and assume undergraduate majors or extensive background in those disciplines. These tests are available in Mathematics, Physics, and Psychology.⁴

Graduate Management Admission Test

The Graduate Management Admission Council was established in 1953 to solve a common problem schools faced: the need for a standardized exam to accurately assess a candidate's ability to perform in the rigors of a graduate management degree program. After thorough research and development, the GMAT exam was created by business schools for business schools. It was specifically designed to assist with the business school admissions process.⁵ The GMAT is the most widely used exam for admission to graduate business and management programs.⁶

The GMAT exam is designed to test skills that are highly important to business and management programs. It assesses analytical writing and problem-solving abilities, along with the data sufficiency, logic, and critical reasoning skills that are vital to real-world business and management success. Additionally, the GMAT exam assesses Integrated Reasoning, a section designed to measure a test taker's ability to evaluate information presented in new formats and from multiple sources—skills necessary for management students to succeed in a technologically advanced and data-rich world.⁷

Graduate Program Admissions

The State University System (SUS) offers opportunities for graduate study in over 1,000 academic programs.⁸ The Board of Governors has established that it is the responsibility of the universities and university boards of trustees to establish their own standards for graduate school admission.⁹ Admission decisions for graduate programs are typically made at the program or department level, in concert with the admission criteria adopted by each university. These criteria are typically published on the university admissions office website.¹⁰

³ ETS, *GRE Information Bulletin* (2023), available at <https://www.ets.org/pdfs/gre/gre-info-bulletin.pdf>, at 4.

⁴ *Id.*

⁵ MBA.com, GMAT Exam, *GMAT History*, <https://www.mba.com/exams/gmat-exam/about/gmat-history> (last visited Jan. 11, 2024).

⁶ MBA.com, Exams, *GMAT Exams*, <https://www.mba.com/exams/gmat-exam> (last visited Jan. 11, 2024).

⁷ Graduate Management Admission Council, *About the GMAT Exam*, <https://www.gmac.com/gmat-other-assessments/about-the-gmat-exam> (last visited Jan. 11, 2024).

⁸ State University System, *Graduate & Professional Admissions*, <https://www.flbog.edu/universities/admissions-transfers/graduate-professional-admissions/> (last visited Jan. 11, 2024).

⁹ Board of Governors Regulation 6.001 and 6.003.

¹⁰ State University System, *Graduate & Professional Admissions*, <https://www.flbog.edu/universities/admissions-transfers/graduate-professional-admissions/> (last visited Jan. 11, 2024).

GRE and GMAT Waivers

As a response to the COVID pandemic, many SUS institutions temporarily waived GRE requirements for the majority of graduate program admission criteria. This temporary waiver is still in effect for many of the SUS institutions. For example, Florida Atlantic University will waive the GRE and GMAT scores for all applicants seeking entry to graduate programs up to and including the entry term of Spring 2024.¹¹ Florida State University is extending the temporary waiver through Fall 2026 for most Master's and Specialist's programs.¹²

Additionally, some graduate programs offer GRE/GMAT waivers for applicants who meet specified criteria. Applicants for the Master of Science in Management program at the University of South Florida (USF) can request a GRE/GMAT waiver if the applicant has 3 years of professional or managerial experience or has earned a bachelor's degree from USF, a Florida preeminent institution, or an AAU school, and has a cumulative GPA of 3.5 or higher.¹³

GRE and GMAT Waivers for Military Applicants

In addition to the temporary GRE waivers still available for all applicants, many universities nationwide provide GMAT waivers for military applicants. The universities with GMAT waivers for military applicants recognize that military service provides veterans with real-world leadership and decision-making experience. These real-world experiences often serve as a more reliable indicator of success in a Master of Business Administration (MBA) program compared to solely relying on GMAT scores.¹⁴ Universities with MBA programs that waive GMAT requirements include:¹⁵

- University of Arizona
- Ohio State University
- Western Michigan
- Xavier
- North Carolina State University
- Purdue
- University of Miami
- Syracuse University

Waivers exempting military applicants from GRE requirements for graduate program admissions are not as prevalent as GMAT waivers. However, some graduate programs like the Harris School of Public Policy at the University of Chicago provide waivers for applicants who have completed five years of active duty national military service.¹⁶ Similarly, the School of Computing and

¹¹ Florida Atlantic University, Graduate College, *Prospective Graduate Students*,

<https://www.fau.edu/graduate/admissions/prospective-graduate-students/> (last visited Jan. 11, 2024).

¹² Florida State University, *Master's Degree Programs*, <https://gradschool.fsu.edu/academics-research/degree-programs/masters-degree-programs> (last visited Jan. 11, 2024).

¹³ University of South Florida, Graduate, *Master of Science in Management*, <https://www.usf.edu/business/graduate/ms-management/application-process.aspx> (last visited Jan. 11, 2024).

¹⁴ Veterans.com, *GMAT Waivers*, <https://veteran.com/gmat-waivers/> (last visited Jan. 11, 2024).

¹⁵ *Id.*

¹⁶ University of Chicago, Harris School of Public Policy, *GRE Requirements and Waivers*, <https://harris.uchicago.edu/admissions/blog/gre-requirements-and-waivers> (last visited Jan. 11, 2024).

Information Science at the University of Maine offers a GRE waiver for military members and veterans with five or more years of military experience.¹⁷

III. Effect of Proposed Changes:

CS/CS/SB 494 creates s. 1004.032, F.S., which requires an institution of higher education to waive the GRE and the GMAT for servicemembers who apply for admission to a graduate program that requires the examination. The bill also requires an institution of higher education to waive the GRE and the GMAT for persons who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and were discharged or released under any condition other than dishonorable and who apply to a graduate program that requires such examination.

The bill provides definitions, to include:

- A “graduate program” as an advanced academic degree program in a specialized field of study, including, but not limited to, a master’s or doctoral degree program, which degree is pursued after one has obtained a bachelor’s degree.
- An “institution of higher education” as a state university.¹⁸
- A “servicemember” as any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.¹⁹

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

¹⁷ University of Maine, *GRE Waiver Request* (2019), available at <https://online.umaine.edu/wp-content/uploads/sites/72/2019/11/GREWaiverRequestInSCIS.pdf>.

¹⁸ Section 1000.21(8), F.S., provides a list of all state universities.

¹⁹ Section 250.01, F.S.

E. Other Constitutional Issues:

None identified.

V. **Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill creates section 1004.32 of the Florida Statutes.

IX. **Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Military and Veterans Affairs, Space, and Domestic Security on January 16, 2024:

The committee substitute expands the GRE and GMAT waivers to include graduate program applicants who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and who were discharged or released under any condition other than dishonorable.

CS by Education Postsecondary on January 9, 2024:

The committee substitute removes reference to a Florida College System institution from the definition of “institution of higher education.”

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



609192

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/16/2024	.	
	.	
	.	
	.	

The Committee on Military and Veterans Affairs, Space, and Domestic Security (Avila) recommended the following:

Senate Amendment (with title amendment)

Delete lines 25 - 27

and insert:

(2) (a) An institution of higher education shall waive the GRE or GMAT requirement for a servicemember who applies for admission to a graduate program that requires such examination.

(b) An institution of higher education shall waive the GRE or GMAT requirement for a person who served in the United States Armed Forces, the Florida National Guard, or the United States



609192

11 Reserve Forces and was discharged or released under any
12 condition other than dishonorable and who applies for admission
13 to a graduate program that requires such examination.

14

15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 Delete line 5

18 and insert:

19 examination requirements for a servicemember or a
20 person who served in the United States Armed Forces,
21 the Florida National Guard, or the United States
22 Reserve Forces and was discharged or released under
23 any condition other than dishonorable and who

By the Committee on Education Postsecondary; and Senators Avila
and Perry

589-01989-24

2024494c1

1 A bill to be entitled
2 An act relating to graduate program admissions;
3 creating s. 1004.032, F.S.; defining terms; requiring
4 an institution of higher education to waive certain
5 examination requirements for a servicemember who
6 applies for admission to a graduate program that
7 requires such examination; providing an effective
8 date.
9
10 Be It Enacted by the Legislature of the State of Florida:
11
12 Section 1. Section 1004.032, Florida Statutes, is created
13 to read:
14 1004.032 Graduate program admission for servicemembers.-
15 (1) As used in this section, the term:
16 (a) "GMAT" means the Graduate Management Admission Test.
17 (b) "Graduate program" means an advanced academic degree
18 program in a specialized field of study, including, but not
19 limited to, a master's or doctoral degree program, which degree
20 is pursued after one has obtained a bachelor's degree.
21 (c) "GRE" means the Graduate Record Examination.
22 (d) "Institution of higher education" means a state
23 university as defined in s. 1000.21(8).
24 (e) "Servicemember" has the same meaning as in s. 250.01.
25 (2) An institution of higher education shall waive the GRE
26 or GMAT requirement for a servicemember who applies for
27 admission to a graduate program that requires such examination.
28 Section 2. This act shall take effect July 1, 2024.



SENATOR Bryan Avila
39th District

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Government Oversight and Accountability, Chair
Appropriations
Appropriations Committee on Education
Appropriations Committee of Health and Human
Services
Education Pre-K 12
Ethics and Elections
Health Policy
Select Committee on Resiliency
Joint Select Committee on Collective Bargaining

January 11, 2024

Honorable Senator Tom Wright
Committee on Appropriations

Honorable Chair Wright:

I respectfully request SB 494 Graduate Program Admissions be placed on the next committee agenda.

SB 494 Graduate Program Admissions; Requiring an institution of higher education to waive certain examination requirements for a service member who applies for admission to a graduate program that requires such examinations.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Avila".

Senator Bryan Avila
Florida Senate, District 39

CC: Tim Proctor, Staff Director
Lois Graham, Committee Administrative Assistant
Charlene Gagnier, Legislative Aide

REPLY TO:

- 10001 Northwest 87th Avenue, Hialeah Gardens, Florida 33016 (305) 364-3073
- 326 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5039

Senate's Website: www.flsenate.gov

Kathleen Passidomo
President of the Senate

Dennis Baxley
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 818

INTRODUCER: Senator Avila

SUBJECT: Military Leave

DATE: January 12, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Proctor</u>	<u>MS</u>	Favorable
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 818 revises a requirement that a public employer provide an employee or official who is a servicemember a full paid leave of absence for the first 30 days of active military service. The bill limits application of the paid leave of absence to a servicemember who is activated under federal military service that is equal to or greater than 90 consecutive days.

The bill takes effect July 1, 2024.

II. Present Situation:

Uniformed Services Employment and Reemployment Rights Act (USERRA)

The provisions of the federal USERRA¹ apply to the state.² USERRA provides employment protections to servicemembers who have to leave employment to perform military service.

USERRA areas of coverage apply to:

- Reemployment rights;
- Freedom from discrimination and retaliation; and
- Continuation of health insurance coverage.³

USERRA requires compliance of private and public employers, including at the state and local level.⁴

¹ Chapter 43, Title 38 U.S.C.

² Section 115.15, F.S.

³ U.S. Dept' of Labor, *Veterans' Employment and Training Service, Know Your Rights*, available at <https://www.dol.gov/agencies/vets/programs/userra/aboutuserra#:~:text=USERRA%20prohibits%20employment%20discrimination%20against,obligations%2C%20or%20intent%20to%20serve> (last visited Jan. 5, 2024).

⁴ *Id.* at 2.

State Law on Public Employment Leave of Absence for Active Military Duty

A paid leave of absence from public employment⁵ for a servicemember to participate in training or active military service is governed by ch. 115, F.S.

A servicemember means a person serving as a member of the:

- United States Armed Forces⁶ on active or state active duty;
- Florida National Guard; or
- United States Reserve Forces.⁷

A period of active military service means the duration of the date of entering active military service until death or 30 days immediately succeeding the date of discharge from active military service or return from active military service, whichever is first.⁸

A public official or employee who is also a servicemember of the National Guard or a reserve component of the United States Armed Forces is eligible to receive full public pay, regardless of any other compensation from the military or other source, for the first 30 days of a leave of absence to perform active military service.^{9,10} Beyond the first 30 days, an employer may supplement military pay to bring the total salary of the employee, including base military pay to the amount earned before the start of active military duty.¹¹ During the time that a public employee is in active military service, the employer must continue to provide state-issued health insurance and other public benefits.¹²

A leave of absence due to military training is addressed separately from active military duty.¹³ A public official or employee who is a servicemember is entitled to a leave of absence without loss of vacation leave, pay, time, or efficiency rating for each day ordered to military training. However, a leave of absence is limited to 240 working hours in any one annual period.¹⁴

III. Effect of Proposed Changes:

SB 818 revises a requirement that a public employer provide an employee or official who is a servicemember a full paid leave of absence for the first 30 days of active military service. The bill limits application of the paid leave of absence to a servicemember who is activated under federal military service that is equal to or greater than 90 consecutive days.

⁵ Sections 115.09 and 115.14, F.S., provide that public employment includes employment with the state, a county, a municipality or another political subdivision of the state, including district school and community college officers, and applies to both employment as an official and an employee.

⁶ Section 250.01(4), F.S., defines “armed forces” to mean the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.

⁷ Section 250.01(19), F.S.

⁸ Section 115.08(2), F.S.

⁹ Sections 115.09 and 115.14, F.S.

¹⁰ Op. Att’y Gen. Fla. 98-43 (1998).

¹¹ Section 115.14, F.S.

¹² *Id.*

¹³ Section 115.07, F.S.

¹⁴ Section 115.07(2), F.S.

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Public employers may realize a cost savings by the narrowing application of the bill to active federal military service of at least a minimum duration of 90 days. A servicemember called to active federal military service for fewer than 90 days would not be eligible for up to 30 days of pay by the public employer.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 115.09 and 115.14.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Avila

39-01058-24

2024818__

A bill to be entitled

An act relating to military leave; amending ss. 115.09 and 115.14, F.S.; providing that public officials and employees of the state, a county, a municipality, or a political subdivision, respectively, are entitled to their full pay for the first 30 days of military service, if such service is equal to or greater than a specified timeframe; making technical changes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 115.09, Florida Statutes, is amended to read:

115.09 Leave to public officials for military service.—All officials of the state, the several counties of the state, and the municipalities or political subdivisions of the state, including district school and community college officers, which officials are also servicemembers in the National Guard or a reserve component of the Armed Forces of the United States, must ~~shall~~ be granted leave of absence from their respective offices and duties to perform active military service, with the first 30 days of any such leave of absence to be with full pay for active federal military service that is equal to or greater than 90 consecutive days.

Section 2. Section 115.14, Florida Statutes, is amended to read:

115.14 Employees.—All employees of the state, the several counties of the state, and the municipalities or political

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

39-01058-24

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subdivisions of the state must ~~shall~~ be granted leave of absence under the terms of this law; upon such leave of absence being granted such said employee must ~~shall~~ enjoy the same rights and privileges as are ~~hereby~~ granted to officials under this law, ~~insofar as may be~~, including, without limitation, receiving full pay for the first 30 days for federal military service that is equal to or greater than 90 consecutive days. Notwithstanding ~~the provisions of~~ s. 115.09, the employing authority may supplement the military pay of its officials and employees who are reservists called to active military service after the first 30 days in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned at the time they were called to active military duty. The employing authority shall continue to provide all health insurance and other existing benefits to such officials and employees as required by the Uniformed Services Employment and Reemployment Rights Act, chapter 43 of Title 38 U.S.C.

Section 3. This act shall take effect July 1, 2024.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

SB 818

Bill Number or Topic

1/16/24

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Mil & Vet Affairs, Spec + Dem See

Committee

Amendment Barcode (if applicable)

Name

Mark Oglesby

Phone

850-414-9048

Address

400 S Monroe St

Email

Mark.t.oglesby.mfg@army.mil

Street

Tallahassee FL

32399

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

January 8, 2024

Honorable Senator Tom A. Wright
Committee on Military and Veterans Affairs, Space
And Domestic Security

Honorable Chair Wright:

I respectfully request SB 818 Military Leave be placed on the next committee agenda.

SB 818 Military Leave; Provides public officials and employees of the state, a county, a municipality, or a political subdivision, respectively, are entitled to their full pay for the first 30 days of military service, if such service is equal to or greater than a specified timeframe.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Avila". The signature is written in a cursive style and is contained within a white rectangular box.

Senator Bryan Avila
Florida Senate, District 39

CC: Tim Proctor, Staff Director
Lois Graham, Committee Administrative Assistant
Charlene Gagnier, Legislative Assistant

Judith M. Ruiz
Chief Legislative Aide
Senator Bryan Avila, District 39

Hialeah Gardens City Hall
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305-364-3073

326 Senate Building
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Tallahassee, Florida 32399-1100
850-487-5039



The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 968

INTRODUCER: Senator Calatayud and Trumbull

SUBJECT: Spaceport Territory

DATE: January 12, 2024

REVISED: 01/16/24

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ingram	Proctor	MS	Favorable
2.			TR	
3.			RC	

I. Summary:

SB 968 expands spaceport territory to include certain real property in Miami-Dade County consisting of property that was formerly included within the boundaries of Homestead Air Force Base and is included in the Homestead Air Reserve Base or deeded to Miami-Dade County or the City of Homestead. The bill provides that Homestead Air Force Base refers to and includes federal property that is part of Homestead Air Reserve Base and former federal property that was previously part of Homestead Air Force Base and, as of July 1, 2024, or anytime thereafter, is deeded to Miami-Dade County or the City of Homestead.

In addition, the bill expands spaceport territory to include certain real property in Bay County which is included within the boundaries of Tyndall Air Force Base.

The bill may have an indeterminate likely insignificant fiscal impact due to commercial activities within the newly designated spaceport territory.

The bill takes effect July 1, 2024.

II. Present Situation:

Federal Regulations

The Office of Commercial Space Transportation was established in 1984 under the U.S. Department of Transportation, and in 1995, transferred to the Federal Aviation Administration (FAA), to regulate and facilitate safe operations of the U.S. commercial space transportation industry.¹ The Commercial Space Launch Act of 1984, as amended, authorizes the FAA to establish licensing and regulatory requirements for launch vehicles, launch sites, and reusable

¹ U.S. Dep't of Transportation, Federal Aviation Administration, Offices, *About the Office of Commercial Space Transportation*, available at https://www.faa.gov/about/office_org/headquarters_offices/ast (last visited Jan. 10, 2024).

suborbital rockets.² FAA's launch regulations require a license or permit for all commercial launches taking place within the U.S. borders as well as for launches being conducted abroad. In general, the FAA does not license launches by U.S. governmental entities. The FAA has licensed the operation of FAA approved launch sites in 10 states³ including Florida.⁴

Spaceport Territory in Florida

Section 331.304, F.S., provides that the following property constitutes spaceport territory:

- Certain real property in Brevard County which is included within the 1998 boundaries of Patrick Space Force Base, Cape Canaveral Space Force Station, or John F. Kennedy Space Center.
- Certain real property in Santa Rosa, Okaloosa, Gulf, and Walton Counties which is included within the 1997 boundaries of Eglin Air Force Base.
- Certain real property in Duval County which is included within the boundaries of Cecil Airport and Cecil Commerce Center.
- Certain real property in Brevard County which is included within the boundaries of Space Coast Regional Airport, Space Coast Regional Airport Industrial Park, and Spaceport Commerce Park.
- Real property within the state which is a spaceport licensed by the FAA, as designated by the board of directors of Space Florida.

Spaceport

A spaceport is any area of land or water, or any manmade object or facility located therein, developed by Space Florida, which is intended for public use or for the launching, takeoff, and landing of spacecraft and aircraft, and includes any associated areas which are used or intended for public use, for spaceport buildings, or for other spaceport facilities, spaceport projects, or rights-of-way.⁵ U.S. spaceports play a critical role in the growing global commercial space transportation industry.⁶

Spaceports in Florida

Currently, Florida has two federally owned spaceports and four FAA licensed commercial spaceports. The Cape Canaveral Space Force Station and the National Aeronautics and Space Administration's Kennedy Space Center are owned and operated by the federal government. The four FAA licensed commercial spaceports in Florida are the Space Florida Launch Complex 46 and Space Florida Launch and Landing Facility, both operated by Space Florida; the Cecil Air

² 51 U.S.C. ss. 50901-23.

³ The FAA website identifies the following states with one or more FAA licensed spaceports: Alabama, Alaska, California, Colorado, Florida, Georgia, New Mexico, Oklahoma, Texas, and Virginia *available at* https://www.faa.gov/space/spaceports_by_state (last visited Jan. 10, 2024).

⁴ Federal Aviation Administration, FAQs, *Launch Licenses and Launch Sites and Spaceports*, *available at* https://www.faa.gov/space/additional_information/faq#commercial2 (last visited Jan. 10, 2024).

⁵ Section 331.303(17), F.S.

⁶ U.S. Dep't of Transportation, Federal Aviation Administration, Spaceports, *available at* <https://www.faa.gov/space/spaceports> (last visited Jan. 10, 2024).

and Space Port, operated by the Jacksonville Aviation Authority; and the Space Coast Regional Airport, operated by the Titusville-Cocoa Airport Authority.⁷

State Investments and Exemptions

Strategic Space Infrastructure Investment

In consultation with Space Florida, the Florida Department of Transportation is authorized to fund up to 100 percent of the cost of a strategic spaceport launch support facilities investment project⁸ if the following conditions have been met:

- Important access and on-spaceport and commercial launch facility capacity improvements are provided;
- Capital improvements that strategically position the state to maximize opportunities in international trade are achieved;
- Goals of an integrated intermodal transportation system for the state are achieved; and
- Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.⁹

Spaceport - Sales and Use Tax Incentives

The state provides a tax exemption for certain machinery and equipment purchased for a new or expanding business in a spaceport territory which is engaged in commercial spaceport activities.^{10,11} In accordance with general law and Florida Administrative Code,¹² this exemption is available for machinery for a new business ordered before the start of productive operations and received within 12 months after the date the business begins its productive operations, and for an existing business, the expanding business entity must show a minimum 5 percent increase in productive output. In order to receive an exemption, the qualifying business entity must file with the Florida Department of Revenue An Application for Temporary Tax Exemption Permit, Form DR-1214.¹³

⁷ U.S. Dep't of Transportation, Federal Aviation Administration, *Spaceports by State*, available at https://www.faa.gov/space/spaceports_by_state (last visited Jan. 10, 2024).

⁸ Section 331.303(14), F.S., defines project as any activity associated with any development, improvement, property, launch, utility, facility, system, works, road, sidewalk, enterprise, service, or convenience, which may include coordination with federal and state partners or agencies; any rocket, capsule, module, launch facility, assembly facility, operations or control facility, tracking facility, administrative facility, or any other type of aerospace-related transportation vehicle, station, or facility; any type of equipment or instrument to be used or useful in connection with any of the foregoing; any type of intellectual property and intellectual property protection in connection with any of the foregoing including, without limitation, any patent, copyright, trademark, and service mark for, among other things, computer software; any water, wastewater, gas, or electric utility system, plant, or distribution or collection system; any small business incubator initiative, including any startup aerospace company, and any aerospace business proposing to expand or locate its business in this state, research and development company, research and development facility, education and workforce training facility, storage facility, and consulting service; or any tourism initiative, including any space experience attraction, microgravity flight program, aerospace launch-related activity, and space museum sponsored or promoted by Space Florida.

⁹ Section 331.371, F.S.

¹⁰ Section 212.02(22), F.S., defines spaceport activities as activities directed or sponsored by Space Florida on spaceport territory pursuant to its powers and responsibilities under the Space Florida Act.

¹¹ Section 212.08(5), F.S.

¹² Fla. Admin. Code R. 12A-1.096 (2013).

¹³ Florida Dep't of Revenue, General Tax, Sales and Use Tax Incentives, Incentives Related to Machinery and Equipment, *Exemption for Industrial Machinery and Equipment Used by a New or Expanding Business to Increase Productive Output*, available at https://floridarevenue.com/taxes/taxesfees/pages/sales_tax_incent.aspx (last visited Jan. 10, 2024).

Homestead Air Force Base and Homestead Air Reserve Base

Homestead Air Force Base was renamed Homestead Air Reserve Base (HARB) in 2003.¹⁴

HARB is located in southeastern Miami-Dade County, near the southern tip of the Florida peninsula. HARB is located along U.S. Highway 1, approximately 25 miles south of Miami, 5 miles east of Homestead, and 2 miles west of Biscayne Bay. HARB is comprised of 1,943 acres, with the surrounding area being largely agricultural but in the process of being rezoned for residential and commercial purposes. Farther to the east, south, and southeast are vacant parcels of land. These vacant parcels are either protected (due to easements) or unprotected (private ownership and could be developed). There are a few commercial plots to the north and northwest of the installation; some residential areas to the south of the installation; and residential developments to the west, north, and northwest of the installation. Areas to the southwest of the installation are being developed for residential and commercial land uses according to Miami-Dade County Planning and Zoning.¹⁵

Tyndall Air Force Base

Tyndall Air Force Base (TAFB) is located one mile southeast of Panama City, Florida. TAFB encompasses approximately 29,000 acres on a narrow, 18-mile-long, northwest-southeast peninsula. Major communities surrounding the installation include Panama City, Lynn Haven, Springfield, Callaway, and Cedar Grove to the northwest, Panama City Beach to the west, and Mexico Beach to the southeast.¹⁶

III. Effect of Proposed Changes:

SB 968 amends s. 331.304, F.S., to expand spaceport territory to include certain real property in Miami-Dade County consisting of property that was formerly included within the boundaries of Homestead Air Force Base and is included in the Homestead Air Reserve Base or deeded to Miami-Dade County or the City of Homestead. The bill provides that Homestead Air Force Base refers to and includes federal property that is part of Homestead Air Reserve Base and former federal property that was previously part of Homestead Air Force Base and, as of July 1, 2024, or anytime thereafter, is deeded to Miami-Dade County or the City of Homestead.

In addition, the bill expands spaceport territory to include certain real property in Bay County which is included within the boundaries of Tyndall Air Force Base.

New and expanding businesses engaged in commercial spaceport activities which are located in a spaceport territory designated by the bill may be eligible for a tax exemption on the purchase of certain machinery and equipment.

¹⁴ U.S. Environmental Protection Agency, *Homestead Air Force Base - Cleanup Activities*, available at <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0404746#bkground> (last visited Jan. 11, 2024).

¹⁵ *Id.*

¹⁶ U.S. Environmental Protection Agency, *Tyndall Air Force Base - Cleanup Activities*, available at <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0401205#bkground> (last visited Jan. 11, 2024).

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

A new or expanding business located within the newly designated spaceport territory which is engaged in commercial spaceport activities may be eligible for a sales tax exemption on the purchase of certain machinery and equipment.

C. Government Sector Impact:

The bill may have an indeterminate likely insignificant fiscal impact due to commercial activities within the newly designated spaceport territory.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 331.304 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Calatayud

38-00852-24

2024968__

1 A bill to be entitled
2 An act relating to spaceport territory; amending s.
3 331.304, F.S.; revising spaceport territory to include
4 certain property; providing an effective date.
5
6 Be It Enacted by the Legislature of the State of Florida:
7
8 Section 1. Subsections (6) and (7) are added to section
9 331.304, Florida Statutes, to read:
10 331.304 Spaceport territory.—The following property shall
11 constitute spaceport territory:
12 (6) Certain real property located in Miami-Dade County
13 which was formerly included within the boundaries of Homestead
14 Air Force Base and is included within the boundaries of
15 Homestead Air Reserve Base or deeded to Miami-Dade County or the
16 City of Homestead. Homestead Air Force Base refers to and
17 includes:
18 (a) Federal property that is part of Homestead Air Reserve
19 Base; and
20 (b) Former federal property that was previously part of
21 Homestead Air Force Base and, as of July 1, 2024, or any time
22 thereafter, is deeded to Miami-Dade County or the City of
23 Homestead.
24 (7) Certain real property located in Bay County which is
25 included within the boundaries of Tyndall Air Force Base.
26 Section 2. This act shall take effect July 1, 2024.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1/16/24

Meeting Date

968

Bill Number or Topic

Military + Veterans Affairs
Space + Domestic Security
Committee

Amendment Barcode (if applicable)

Name Lindsay Pierce

Phone 334-268-8282

Address 113 E Colloge
Street

Email lpierce@spaceflorida.gov

City TLH

State FL

Zip 32301

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
Space Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Community Affairs, Chair
Appropriations Committee on Education
Education Pre-K 12
Fiscal Policy
Health Policy
Select Committee on Resiliency

SENATOR Alexis Calatayud

38th District

January 5, 2024

Honorable Senator Tom A. Wright
Chair - Committee on Military and Veterans Affairs, Space, and Domestic Security
Honorable Chair Wright,

I respectfully request that **SB-968 Spaceport Territory** to place on the next committee agenda.

The bill revises spaceport territory to include certain property outside of the current allocated and allowed spaceport territory.

Sincerely,

Alexis M. Calatayud

Senator Alexis M. Calatayud
Florida Senate, District 38

CC: Tim Proctor, Staff Director
Lois Graham, Committee Administrative Assistant

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SM 1020

INTRODUCER: Senator Ingoglia

SUBJECT: Designation of Drug Cartels as Foreign Terrorist Organizations

DATE: January 12, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Ingram</u>	<u>Proctor</u>	<u>MS</u>	Favorable
2.	_____	_____	<u>RC</u>	_____

I. Summary:

SM 1020 is a memorial to the United States Department of State urging the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations so that the appropriate means may be initiated to mitigate and, eventually, eliminate their operations.

The memorial directs the Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the state delegation to the United States Congress.

A memorial is an official legislative document addressed to the United States Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

II. Present Situation:

Measures Against Drug Cartels and Transnational Organizations

Executive Order 14059

On December 15, 2021, and in response to illicit drug trafficking into the United States, the President of the United States signed Executive Order 14059, to combat drug cartels, transnational criminal organizations (TCO), and their facilitators, which are the primary sources of illicit drugs and precursor chemicals that fuel the current opioid epidemic, as well as drug-related violence that harms American communities. Essentially Executive Order 14059 imposes sanctions on foreign persons involved in the global illicit drug trade¹ and authorizes the Secretary

¹ The White House, Briefing Room, *Presidential Actions - Executive Order on Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade*, (Dec. 15, 2021) available at <https://www.whitehouse.gov/briefing->

of the Treasury, in consultation with the United States Secretary of State, the United States Attorney General, and the Secretary of Homeland Security, to impose those sanctions.²

In November 2023, the Office of Foreign Assets Control (OFAC) within the United States Department of the Treasury, in accordance with Executive Order 14059, imposed sanctions on 13 members of a well-known drug cartel for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production. One of those members, Morgan Huerta, who manages the cartel's operations and oversees the trafficking of multi-ton quantities of illicit drugs from Mexico into the United States, was indicted in a United States District Court on various drug trafficking charges in April 2021 and is still a fugitive. OFAC also sanctioned four Mexico-based companies that were owned or controlled, directed by, having acted or purported to act for or on behalf of, directly or indirectly, those certain designated members of the drug cartel.³

Designation of Foreign Terrorist Organizations

In consultation with the United States Secretary of the Treasury and the United States Attorney General, the United States Secretary of State may designate an organization as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act,⁴ as amended if the United States Secretary of State finds that:

- The organization is a foreign organization;
- The organization engages in terrorist activity⁵ or retains the capability and intent to engage in terrorist activity or terrorism⁶; and
- The terrorist activity or terrorism of the organization threatens the security of the United States nationals or the national security, which includes national defense, foreign relations, or the economic interests⁷ of the United States.⁸

Drug Cartels

Illicit drugs

Drug cartels⁹ engage in illicit activities that are penetrating the United States borders. These cartels have been responsible for the export and distribution of fentanyl and other illicit drugs

[room/presidential-actions/2021/12/15/executive-order-on-imposing-sanctions-on-foreign-persons-involved-in-the-global-illicit-drug-trade/](https://www.treasury.gov/room/presidential-actions/2021/12/15/executive-order-on-imposing-sanctions-on-foreign-persons-involved-in-the-global-illicit-drug-trade/) (Jan. 11, 2024).

² *Id.* at Section 1, Section 2.

³ Press Release, U.S. Dep't of the Treasury, *Treasury Sanctions Sinaloa Cartel Network Flush with Illicit Fentanyl on Southwest Border* (Nov. 7, 2023) available at <https://home.treasury.gov/news/press-releases/jv1887> (last visited Jan. 10, 2024).

⁴ U.S. Dep't of Homeland Security, U.S. Citizenship and Immigration Services, *Immigration and Nationality Act*, available at <https://www.uscis.gov/laws-and-policy/legislation/immigration-and-nationality-act> (last visited Jan. 5, 2024).

⁵ 8 U.S.C. §1182(a)(3)(B).

⁶ 22 U.S.C. §2656f(d)(2).

⁷ U.S. Dep't of State, Bureau of Counterterrorism, *Foreign Terrorist Organizations*, available at <https://www.state.gov/foreign-terrorist-organizations/> (last visited Jan. 5, 2024).

⁸ 8 U.S.C. §1189(a).

⁹ U.S. Dep't of Justice, Archives, *Drug Trafficking Organizations*, defines "drug cartels" as large, highly sophisticated organizations composed of multiple drug trafficking organizations and cells with specific assignments such as drug transportation, security/enforcement, or money laundering. Drug cartel command-and-control structures are based outside the

which have caused extensive drug-related overdoses and deaths in the United States. According to provisional data from the Centers for Disease Control and Prevention, over 100,000 drug overdose deaths in the United States were reported each year in 2021 and 2022.¹⁰

On January 26, 2023, the United States Drug Enforcement Administration (DEA) indicated the nationwide seizure totals as of December 2022, were over 50.6 million fentanyl pills and more than 10,500 pounds of fentanyl powder.¹¹ The DEA Laboratory estimates that these seizures represent more than 379 million potentially deadly doses of fentanyl, which equates to enough fentanyl to kill every American.¹² The seizure totals represent only a portion of the illicit drugs being created or illegally imported in to the United States.

During the federal fiscal year 2023, the Department of Homeland Security seized over 43,000 pounds of fentanyl,¹³ with the United States Customs and Border Protection (CBP) seizing 27,000 pounds of fentanyl.¹⁴

One of the many tasks performed by CBP agents is to combat drug smuggling and drug trafficking into the United States across the southern border and via ports of entry. In May 2023, drug smugglers attempted to smuggle illicit drugs into the country when CBP agents in California conducted a vehicular stop and, at the checkpoint, the agents discovered 112 pounds of narcotics that tested positive for fentanyl with an estimated street value of about \$1.5 million.¹⁵ The San Diego Sector Chief Patrol Agent said that “[transnational] criminal organizations do everything they can to distribute these harmful narcotics and earn their profits with no regard for the destructive effects they have on our communities.”¹⁶ In another seizure on December 21, 2023, smugglers were intercepted in Texas where CBP officers seized 1,018 pounds of methamphetamine and 65 pounds of cocaine with a street value of \$10.2 million.¹⁷ A drug smuggling seizure via the Ysleta port of entry occurred in December 2023, when CBP

United States; however, they produce, transport, and distribute illicit drugs domestically with the assistance of drug trafficking organizations that are either a part of or in an alliance with the cartel. (February 2010) *available at* <https://www.justice.gov/archive/ndic/pubs38/38661/dtos.htm> (last visited Jan. 10, 2024).

¹⁰ Centers for Disease Control and Prevention, NCHS: A Blog of the National Center for Health Statistics, *Provisional Data Shows U.S. Drug Overdose Deaths Top 100,000 in 2022* (May 18, 2023) *available at* <https://blogs.cdc.gov/nchs/2023/05/18/7365/> (last visited on Jan. 5, 2024).

¹¹ Press Release, U.S. Drug Enforcement Administration, *DEA Washington Division Announces the Seizure of Over 8 Million of Deadly Doses of Fentanyl in 2022*, *available at* <https://www.dea.gov/press-releases/2023/01/26/dea-washington-division-announces-seizure-over-8-million-deadly-doses> (last visited on Jan. 10, 2024).

¹² *Id.*

¹³ Press Release, Dep’t of Homeland Security, *Fact Sheet: DHS is on the Front Lines Combating Illicit Opioids, Including Fentanyl, Over 5,500 pounds of Fentanyl Seized Already in FY2024* (Dec. 22, 2023) *available at* <https://www.dhs.gov/news/2023/12/22/fact-sheet-dhs-front-lines-combating-illicit-opioids-including-fentanyl> (last visited on Jan. 11, 2024).

¹⁴ U.S. Customs and Border Protection, *Drug Seizure Statistics*, *available at* <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics> (last visited on Jan. 10, 2024).

¹⁵ Press Release, U.S. Customs and Border Protection, *U.S. Border Patrol seizes fentanyl worth more than \$1.5 million at Pine Valley checkpoint* (May 26, 2023) *available at* <https://www.cbp.gov/newsroom/local-media-release/us-border-patrol-seizes-fentanyl-worth-more-15-million-pine-valley> (last visited Jan. 10, 2024).

¹⁶ *Id.*

¹⁷ Press Release, U.S. Customs and Border Protection, *CBP officers seize 1,018 pounds of methamphetamine, 165 pounds of cocaine valued at \$10.2 million at World Trade Bridge* (Dec. 26, 2023) *available at* <https://www.cbp.gov/newsroom/local-media-release/cbp-officers-seize-1018-pounds-methamphetamine-165-pounds-cocaine> (last visited Jan. 5, 2024).

officers intercepted a combined 123 pounds of fentanyl and methamphetamine in failed smuggling attempts over 3 consecutive days.¹⁸

In a 2018 hearing before the United States Senate Subcommittee on Border Security and Immigration, the DEA reported that certain TCOs, which included six named drug cartels, remain the greatest criminal drug threat to the United States.¹⁹ On April 14, 2023, the United States Justice Department announced “significant enforcement actions, against the largest, most violent, and most prolific fentanyl trafficking operation in the world” run by a drug cartel.²⁰ According to Deputy Attorney General Lisa O. Monaco, fueled in a large part by the indicted cartel, “[the] fentanyl crisis in America...threatens our public health, our public safety, and our national security.”²¹

Abduction and Deadly Shooting

In March 2023, it was reported that four Americans traveled to Mexico and got caught up in a drug cartel shootout after entering Matamoros from the southernmost tip of Texas near the Gulf coast.^{22,23} At the time, the Federal Bureau of Investigation reported that four Americans were placed in a vehicle and taken from the scene by armed men.²⁴ Two of the Americans died and two were held captive for days until being found by authorities.²⁵ A drug cartel reportedly claimed responsibility for the abduction and murder of the Americans.²⁶

Human Smuggling and Human Trafficking

Although human smuggling and human trafficking can be related and the actions of which may overlap, there are significant distinctions between the two. Human smuggling requires a payment

¹⁸ Press Release, U.S. Customs and Border Protection, *CBP officers seize fentanyl and methamphetamine at the Ysleta port of entry*, (Dec. 23, 2023) available at <https://www.cbp.gov/newsroom/local-media-release/cbp-officers-seize-fentanyl-and-methamphetamine-ysleta-port-entry> (last visited Jan. 11, 2024).

¹⁹ Dep’t of Justice, *Narcos: Transnational Cartels And Border Security, Statement Of Paul E. Knierim, Deputy Chief Of Operations Office Of Global Enforcement Drug Enforcement Administration, U.S. Department Of Justice, Before The Subcommittee On Border Security And Immigration United States Senate*, p. 6 (Dec. 12, 2018) available at <https://www.dea.gov/sites/default/files/2018-12/DEA%20Testimony%20-%20Mexican%20Cartels%20-%20SJC-12-12-2018.pdf> (last visited Jan. 10, 2024).

²⁰ Press Release, Office of Public Affairs, U.S. Department of Justice, *Justice Department Announces Charges Against Sinaloa Cartel’s Global Operation* (April 14, 2023) <https://www.justice.gov/opa/pr/justice-department-announces-charges-against-sinaloa-cartel-s-global-operation> (last visited Jan.10, 2024).

²¹ *Id.*

²² Alfredo Peña et al., *Ciudad Victoria, Mexico - Survivors of deadly Mexico kidnapping being treated at Texas hospital*, AP, Mar. 7, 2023, available at <https://apnews.com/article/mexico-kidnapped-americans-killed-eaed854f1b16cd61fb79edcb5b87cfe6> (last visited Jan. 11, 2024).

²³ Alfredo Peña & Matthew Barakat, *Ciudad Victoria, Mexico - What we know about the 4 Americans kidnapped in Mexico*, AP, Mar. 7, 2023, available at <https://apnews.com/article/mexico-americans-kidnapped-gulf-drug-cartel-2700637729e8f3a5065005231aa8d4d3> (last visited Jan. 11, 2024).

²⁴ *Id.*

²⁵ Alfredo Peña et al., *supra* note 22.

²⁶ Ana Faguy, *Mexican Drug Cartel Reportedly Claims Responsibility—And Apologizes—For Abducting And Murdering Americans*, Forbes, Mar. 9, 2023, available at <https://www.forbes.com/sites/anafaguy/2023/03/09/mexican-drug-cartel-reportedly-claims-responsibility-and-apologizes-for-abducting-and-murdering-americans/?sh=368554dd58a7> (last visited Jan. 11, 2024).

to and cooperation with a smuggler or smuggling group, also known as a coyote,²⁷ and a smuggled person volunteers to participate and to travel across borders.²⁸ In contrast, a trafficked person is a victim who is coerced, defrauded, or forced into the position and who may not necessarily travel across borders.²⁹

In December 2023, in collaboration with Homeland Security Investigations (HSI) and the DEA and in coordination with the Government of Mexico, the OFAC sanctioned key members of a TCO with the aim of obstructing access to illicit profits from drug trafficking and human smuggling. According to an investigation by HSI, the TCO was found to be a human smuggling and narcotics trafficking organization, the act of which endangers human life and threatens national security.³⁰ According to the Secretary of Homeland Security, by “targeting cartels and smugglers [like the sanctioned TCO], we are disrupting the illicit financial networks of criminals who profit off of vulnerable migrants and devastate our communities with fentanyl and other dangerous narcotics.”³¹

According to the DEA, drug cartels will traffic women and children to smuggle drugs across the border in order to expand profits.³² Often times, human traffickers may use drug as bait for individuals who have a substance abuse problem, or drugs can be used a means of control over trafficking victims, such as forced submission, harder work, prolonged hours, or to simply keep the victims on the drugs so that they do not attempt escape.³³

Criminals engaged in human trafficking range from individuals to organized criminal groups according to the United Nations, Office on Drugs and Crime. The more organized groups are typically perpetrating other serious crimes, such as trafficking drugs, arms, and illicit commodities, and corruption and bribery of officials.³⁴ In 2004, Kofi A. Annan Secretary-General of the United Nations, condemned criminal groups who are terrorists, drug dealers, and human traffickers. He implored Member States to ratify not only the United Nations Convention against Transnational Organized Crime,³⁵ but also its supplement, the Protocol to

²⁷ NPR, *National, Talk of the Nation, Inside the Hidden World of Immigrant Smuggling* (Apr. 19, 2012) available at <https://www.npr.org/2012/04/19/150973748/inside-the-hidden-world-of-immigrant-smuggling> (last visited Jan. 5, 2024).

²⁸ Joe Whitley & Gus Coldebella, Council on National Security and Immigration, *White Paper: The Distinction Between and Response to Human Trafficking and Smuggling* available at https://www.cnsiusa.org/files/ugd/5b8edc_65cf39a0100b4c6e8f230b6ab7e872eb.pdf (last Jan. 10, 2024).

²⁹ *Id.*

³⁰ Press Release, U.S. Dep’t of Homeland Security, *Following DHS Investigation, Treasury Sanctions Human Smuggling and Drug Trafficking Organization Operating on Southwest Border* (Dec. 14, 2023) available at <https://www.dhs.gov/news/2023/12/14/following-dhs-investigation-treasury-sanctions-human-smuggling-and-drug-trafficking> (last visited Jan. 10, 2024).

³¹ *Id.*

³² Jarod Forget, Special Agent in Charge, Washington D.C. Division, U.S. Drug Enforcement Administration, *Violent drug organizations use human trafficking to expand profits* (Jan. 28, 2021) <https://www.dea.gov/stories/2021/2021-01/2021-01-28/violent-drug-organizations-use-human-trafficking-expand-profits> (last visited Jan 11, 2024).

³³ *Id.*

³⁴ United Nations, Office on Drugs and Crime, *Human Trafficking FAQs*, available at <https://www.unodc.org/unodc/en/human-trafficking/faqs.html#h10> (last visited Jan. 11, 2024).

³⁵ United Nations, Office on Drugs and Crime, *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto* (November 2000) available at <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf> (last visited Jan. 11, 2024).

Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.³⁶

Congressional Legislation

A congressional bill introduced in 2023 designates certain drug cartels and TCOs as Foreign Terrorist Organizations and recognizes the threats those organizations pose to the people of the United States as terrorism, and for other purposes.³⁷

Memorial

A memorial is an official legislative document addressed to the United States Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto.

III. Effect of Proposed Changes:

SM 1020 is a memorial to the United States Department of State urging the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations so that the appropriate means may be initiated to mitigate and, eventually, eliminate their operations.

The memorial directs the Secretary of State to dispatch copies to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the state delegation to the United States Congress.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

³⁶ United Nations, United Nations Human Rights, Office of the High Commissioner, *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted 15 November 2000, by General Assembly resolution, 55/25, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>* (last visited Jan. 11, 2024).

³⁷ S. 1048 – 118th Congress (2023-2024): Ending the Narcos Act of 2023, S. 1048, 118th. (2023) available at <https://www.congress.gov/bill/118th-congress/senate-bill/1048/text> (last visited Jan. 11, 2023).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Ingoglia

11-01635A-24

20241020__

Senate Memorial

A memorial to the United States Department of State urging the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations.

WHEREAS, the land and maritime borders of the United States present unique challenges and threats to the national security of the country, and

WHEREAS, drug cartels engage in illicit activities, including human smuggling, human trafficking, weapons trafficking, money laundering, drug smuggling, extortion, and kidnapping, which activities have breached the borders of the United States, and

WHEREAS, as an example of the heinous activities of the drug cartels, in March 2023, south of the Texas border, one drug cartel claimed responsibility for the armed abduction and killing of American citizens who were traveling in Mexico, and

WHEREAS, drug cartels have been responsible for the export and distribution to the United States of wholesale amounts of fentanyl, methamphetamine, heroin, cocaine, and other illicit substances, which has caused tens of thousands of drug-related overdoses and deaths in this country, and

WHEREAS, during federal fiscal year 2023, United States Customs and Border Protection seized 27,000 pounds of fentanyl and millions of fentanyl pills, enough to kill every American several times over, and this amount represents a mere 10 to 15 percent of the fentanyl actually sent across the border into the United States each year, and

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-01635A-24

20241020__

WHEREAS, drug cartels engage in the practice of human smuggling, which poses a substantial threat to the United States by creating conduits that allow contraband and persons seeking to harm the United States to clandestinely enter this country, and

WHEREAS, during federal fiscal year 2023, United States Customs and Border Protection encountered 172 individuals on the terrorist watchlist, nearly double the previous year and more than the past 6 years combined, and

WHEREAS, Section 219 of the Immigration and Nationality Act authorizes the United States Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to designate an organization as a Foreign Terrorist Organization when certain criteria are met, and

WHEREAS, drug cartels meet the criteria to be designated as Foreign Terrorist Organizations, given they are foreign in nature, engage in or retain the capability and intent to engage in terrorism, and threaten the security, foreign relations, and the economic interests of the United States, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Florida Legislature respectfully urges the United States Secretary of State to designate drug cartels as Foreign Terrorist Organizations so that appropriate means may be initiated to mitigate and, eventually, eliminate their operations.

BE IT FURTHER RESOLVED that the Secretary of State dispatch copies of this memorial to the President of the United States,

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-01635A-24

20241020__

59 the President of the United States Senate, the Speaker of the
60 United States House of Representatives, the United States
61 Secretary of State, and each member of the Florida delegation to
62 the United States Congress.



THE FLORIDA SENATE

Tallahassee, Florida. 32399-1100

COMMITTEES:

Finance and Tax, *Chair*
Appropriations
Banking and Insurance
Criminal Justice
Ethics and Elections

SELECT COMMITTEE:

Select Committee on Resiliency

JOINT COMMITTEE:

Joint Administrative Procedures
Committee, *Alternating Chair*

Senator Blaise Ingoglia
11th District

January 9, 2024

The Honorable Tom Wright, Chair
Military and Veterans Affairs
412 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

Re: SM 1020 Designation of Drug Cartels as Foreign Terrorist Organizations

Chair Wright,

SM 1020 has been referred to the Military and Veterans Affairs as its first committee of reference. I respectfully request that it be placed on the agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingoglia". The signature is stylized and somewhat abstract, with long, sweeping lines.

Blaise Ingoglia
State Senator, District 11

Cc: Tim Proctor, Staff Director, Lisa Johnson, Lois Graham, Committee Administration Assistant



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Military and Veterans Affairs, Space, and Domestic Security, *Vice Chair*
Appropriations Committee on Criminal and Civil Justice
Banking and Insurance
Commerce and Tourism
Fiscal Policy
Rules
Transportation

JOINT COMMITTEES:

Joint Select Committee on Collective Bargaining

SENATOR VICTOR M. TORRES, JR.

25th District

January 15, 2024

Tom A. Wright, Chair
Committee on Military and Veterans Affairs, Space, and Domestic Security
404 S Monroe Street
Tallahassee

Please accept this letter of excusal from myself for the January 16th Committee on Military and Veterans Affairs, Space, and Domestic Security due to an illness. Please accept this letter as a formal request for excusal of this absence. Please let me know if you have any questions or need any additional information.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Victor M. Torres, Jr." with a stylized flourish at the end.

Victor M. Torres, Jr.
Florida State Senator
District 25

REPLY TO:

- 101 Church Street, Suite 305, Kissimmee, Florida 34741 (407) 846-5187 FAX: (850) 410-4817
- 214 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5025

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Military and Veterans Affairs, Space, & Domestic Security Committee Judge:

Started: 1/16/2024 8:30:15 AM

Ends: 1/16/2024 8:41:24 AM Length: 00:11:10

8:30:14 AM Chair Wright calls meeting to order
8:30:32 AM Roll Call
8:30:41 AM Pledge of Allegiance
8:31:07 AM Chair Wright
8:31:25 AM Tab 1 and Tab 2 Temporarily Postponed
8:31:38 AM Tab 4 SM 1020 by Ingoglia; Designation of Drug Cartels
8:31:46 AM Senator Ingoglia
8:31:52 AM Senator Ingoglia explains the bill
8:32:50 AM Questions
8:32:53 AM Appearances
8:32:58 AM Debate
8:33:01 AM Sen Ingoglia in closure
8:33:06 AM Roll call
8:33:16 AM SM 1020 reported favorably
8:33:22 AM Chair Wright
8:33:32 AM Tab 3, SB 968, Spaceport Territory
8:33:33 AM Senator Calatayud explains the bill
8:34:24 AM Questions
8:34:27 AM Senator Pizzo
8:34:35 AM Sen. Calatayud
8:35:00 AM Chair Wright
8:35:05 AM Debate
8:35:12 AM Chair Wright
8:35:19 AM Appearance
8:35:22 AM Lindsay Pierce waives
8:35:36 AM Chair Wright
8:35:38 AM Roll Call
8:35:46 AM SB 968 reported favorably
8:35:54 AM Chair Wright
8:36:36 AM Tab 1, CS/SB 494 by Senator Avila, Graduate Program Admissions
8:36:49 AM Senator Collins explains the bill on behalf of Senator Avila
8:37:30 AM Questions
8:37:35 AM Amendment Barcode #609192 introduced
8:37:41 AM Senator Collins explains amendment
8:37:56 AM Questions on Amendment
8:38:01 AM Appearance
8:38:09 AM Senator Collins waives
8:38:16 AM Amendment adopted
8:38:22 AM Questions
8:38:25 AM Appearances
8:38:33 AM Senator Collins close
8:38:36 AM Roll Call

8:38:45 AM CS/CS/SB 494 reported favorably
8:38:56 AM Tab 2 SB 818 by Avila, Military Leave
8:39:07 AM Senator Collins explains bill on behalf of Senator Avila
8:39:42 AM Questions
8:39:48 AM Appearances
8:39:52 AM Mark Oglesby waives
8:40:00 AM Debate
8:40:06 AM Senator Collins closes
8:40:24 AM Roll Call
8:40:32 AM SB 818 reported favorably
8:40:40 AM Chair Wright closing remarks
8:40:52 AM Senator Pizzo moves to adjourn
8:40:54 AM Meeting adjourned